

**PRELIMINARY DRAFT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: M. Cannata et al.

Confirmation No.: 1745

Application No.: 09/590,099

Group Art Unit: 2157

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Examiner: Gregory G. Todd

For: WEB-BASED GROUPWARE SYSTEM Attorney Docket No.: 7663-4098

DECLARATION OF JOHN E. MACCRISKEN

Commissioner of Patents
P.O. Box 1430
Alexandria VA 22313-1450

Sir:

I, John E. MacCrisken, hereby declare that:

1. I am a citizen of U.S.A. and reside at 900 Quail Forest Cove, Austin TX 78758.
2. I have read and understand the application referenced above, the claims as originally filed and presently pending, and the Office Action dated October 5, 2004.
3. For the past six years I have been an employee of Chicago Partners, Ltd., which is an Illinois Corporation having a place of business at 140 S. Dearborn St., Suite 1500, Chicago IL 60603
4. My present title is Technology Consultant, and I have held this position for approximately six years.
5. I have a Bachelor of Science degree in Physics from Rensselaer Polytechnic Institute (1970) and a Master of Science degree in Computer Science from Stanford University (1974) and over thirty years of experience in the field of Computer Science. In the late 1970's I was Database Administrator at Intel Corporation, the principal database designer for their Information Technology databases throughout the United States;

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**PRELIMINARY DRAFT
CONFIDENTIAL**

this involved integrated transaction processing and communications systems to connect the major manufacturing centers located in Albuquerque, Phoenix, Portland, and numerous sites in Northern California. From 1984 to 1990 I was employed by National Instruments of Austin Texas, for which my principal responsibility was the design of computer software to control scientific and industrial laboratories; in this role, I was one of the inventors of LabVIEW, a software product for programming the control and measurement systems, for which approximately a dozen U.S. and foreign patents have been issued. In 1992, I was promoted to Vice-President of Engineering, responsible for leading the R&D efforts of the company until I left the company in 1993.

6. I am making these statements as one of ordinary skill in the art in the filed of the present invention.

7. The present patent application is directed to systems and method for providing a collaborative workspace for sharing data.

8. The present invention as defined in the pending claims of the patent application encompasses systems and methods for providing a collaborative workspace for sharing data in which, among other things, the shared data is centrally accessible by the users through the dedicated site.

9. "Shared data" as used in the pending claims refers to the useful content of the workspace such as document files, databases, logs, or other stored content of the workspace that is centrally accessible to the users of the workspace from the dedicated site to allow for shared use of such content. "Shared data" is the workspace content manipulated by the users of the workspace (e.g., edited, opened, etc.) in support of the objective of the collaboration, and typically represents Megabytes to Gigabytes of information that is accessible to and shared by the users of the workspace. The meaning of this term is based on my review of the patent application and the prosecution file history in view of my background and experience in this field of technology.

10. Examples of passage from the patent application that I found to be instructive are provided for clarification purposes as follows:

"Recently, the need for collaborative computing environments has been receiving increasing attention. People are finding that it is more

**PRELIMINARY DRAFT
CONFIDENTIAL**

and more important to share information and work together to meet common goals. With increasing specialization in the marketplace, there is frequent need to work together with people from different offices, different organizations and even different countries to satisfy the requirements of a particular project or goal. Managing collaborative initiatives of this type is not a simple matter." Page 1, lines 10-16.

"Once connected to dedicated site 25 created on server 10, primary user 30 and secondary user 40 both have access to at least some of the information stored at the site, the ability to access and process at least some of the information and the ability to input and store processed and/or new information." Page 5, lines 24-27. See also FIG. 1.

"Server 10 may be provided a number of general sites (e.g., Sites #1, #2, #3) which are automatically accessible to primary user 30 and secondary user 40; other sites (e.g., Site #6) which are accessible to only one of the users; and some sites (e.g., Site #7) which can only be accessed by a system administrator (not shown)." Page 6, lines 3-6.

"Thus, an advantage of the present system is that . . . the user and his/her team members can access applications software without the need for each team member to have individual copies of each applications software." Page 6, lines 26-29.

"Once the approved secondary users have been notified of the existence of the dedicated site, the workgroup remains operational until all workgroup activities have been completed (260). When the primary user decides that there is no longer a requirement for the workgroup, the workgroup is closed (270) and the dedicated site may be deleted from the server. Prior to closure and deletion of the dedicated site, primary user may be given the option of downloading and storing all the data from the site for archive purposes." Page 8, lines 18-24.

"[A] basic form of security is to provide the dedicated site created with a password which must be entered by both the primary user and the secondary users to gain access to the workgroup. . . . Providing each secondary user with a unique password also permits primary user to set up different levels of information which can be accessed within the workgroup by each secondary user, i.e., the workgroup can be created on a "need to know" basis." Page 9, lines 6-12.

11. As such, "shared data" as well as related features as used in the pending claims of the parent application refers to the useful content of the collaborative workspace.

12. I further declare that all statements made herein of my knowledge are true and all statements made on information and belief are believed to be true; and further

**PRELIMINARY DRAFT
CONFIDENTIAL**

that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Dated this _____ day of _____, 2004.

Declarant: _____
John E. MacCracken